REMARKS

Upon entry of the above amendments, claims 1-21, and 79-80 are pending in the present application. Claims 22-28 and 81-86 are withdrawn from consideration at this time. Claims 1 and 79 are independent claims. Claims 1 is amended. The drawings are re-submitted. Applicant requests reconsideration and allowance in view of the following remarks.

Objections to the Drawings

In the Action on page 2, section 4, the drawings are objected to as being "illegible and poor quality for publication." Applicants' copies of the original drawings as filed are clear, however, Applicants submit new copies of the drawings and requests that the objection be withdrawn. No amendments to the drawings are made.

Rejection under 35 U.S.C. § 102

In the Action on pages 3-5, sections 6-10, claims 1, 5-20 and 79-80 are rejected under 35 U.S.C. 102(a) and 102(e) as allegedly being anticipated by U.S. Patent No. 6,149,441 to Pellegrino et al (hereinafter "Pellegrino"). Applicant respectfully traverses this rejection.

As amended, claim 1 recites a virtual school, comprising: a computer network, including server means and a plurality of clients each of which is adapted to be connected to said server means over said network; means for operating said server means and said plurality of clients, said operating means supporting a run-time environment for a virtual school application on said network; graphical user interface means adapted to be displayed on said plurality of clients, said graphical user interface means including a plurality of personalized spaces; a database storing a plurality of files with a plurality of different file formats, the database is adapted to be accessible to said server means over said network; a plurality of collaborative modules, each of which is adapted to be run over said network, said collaborative modules including: a content manager; *a curriculum planner, adapted to be used by a user to plan a curriculum comprising a plurality of lessons, said curriculum planner including calendar means accounting for a plurality of vacation days, a plurality of holidays, and a plurality of events occurring throughout the course of said curriculum at a location proximate to said user*; an instructional sequencer; and *a progress*

22

tracker, adapted to track and display the progress of at least one student through at least one of: the curriculum and a series of lesson units. Pellegrino fails to teach at least three elements of claim 1.

First, Pellegrino fails to teach **a curriculum planner**. Instead, Pellegrino teaches a <u>lesson builder module</u> 74, which allows a teacher to "search the lesson catalog database for existing lessons; to create a new lesson; to modify or deleted an existing lesson; to display and print the lesson plan associated with a particular lesson; and to preview a lesson." Pellegrino, col. 15, lines 55-59. While Pellegrino appears to allow the planning of individual lessons, Pellegrino does not appear teach a <u>curriculum-level</u> planning module. As is well known in the art, a curriculum typically encompasses multiple lessons for multiple subject areas. See, e.g. Specification, paragraph 6.

Second, Pellegrino fails to teach a curriculum planner adapted to be used by a user to plan a curriculum comprising a plurality of lessons, said curriculum planner **including calendar means** accounting for a plurality of vacation days, a plurality of holidays, and a plurality of events occurring throughout the course of said curriculum at a location proximate to said user. There is no discussion in Pellegrino that the lesson builder module 74 includes a calendar means as claimed in claim 1. In contrast, the curriculum planner of claim 1 provides a calendar, as seen, e.g., in FIGS. 3-5 that allows a caring adult to plan multiple lessons for up to a full school year. See, e.g., specification, paragraphs 76-81.

Third, Pellegrino fails to teach **a progress tracker module, adapted to track and display the progress of at least one student through at least one of: the curriculum and a series of lesson units**. Instead, Pellegrino teaches recording the actions of a student as he progresses through the selections <u>in a lesson</u> and allowing the teacher to review the manner in which a student used the navigation buttons. Pellegrino, col. 22, lines 36-52. In contrast, the progress tracker module as claimed in claim 1 allows a caring adult or teacher to track a student's progress through, for example, a unit, a semester, a subject, or a grade. See, e.g., specification, paragraphs 222-247.

Therefore, because Pellegrino fails to teach at least three elements of claim 1, Applicants submit that claim 1 is allowable and request that the rejection be withdrawn.

Claims 5-20 depend from claim 1 and are allowable at least for being dependent on an allowable claim.

Claim 79 recites elements similar to those in claim 1, namely "...a first interactive module, which is adapted to ... be used by said user to plan a curriculum... including calendar means," and is allowable for at least the reasons given above regarding claim 1.

Claim 80 depends from claim 1 and is allowable at least for being dependent on an allowable claim.

Rejection under 35 U.S.C. § 103

In the Action on pages 5-7, sections 12-15, claims 2-4, and 21 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Pellegrino in view of U.S. Publication No. 2002/0194584 to Suorsa et al. (hereinafter "Suorsa"). Applicant respectfully traverses this rejection.

Claims 2-4 and 21 depend from claim 1 and are allowable at least for being dependent on an allowable claim.

Further, Suorsa and Pellegrino, alone or in combination, fail to overcome the deficiencies in Pellegrino as discussed above regarding claim 1. Suorsa is generally directed to provisioning computing devices from a central database and file system. There is no discussion in Suorsa of a curriculum planner or a progress tracker, or indeed of any educational system. Therefore, the combination of Suorsa and Pellegrino fails to teach the elements of the claims.

Applicants respectfully request that the rejection be withdrawn and the claims allowed.

Conclusion

All of the stated grounds of rejection have been properly traversed. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner
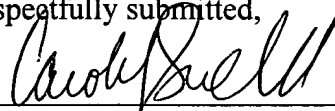
believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is hereby invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment is respectfully requested.

Dated: October 25, 2006

Respectfully submitted,

By _____
Caroline J. Swindell
   Registration No.: 56,784
VENABLE LLP
P.O. Box 34385
Washington, DC 20043-9998
(202) 344-4000
(202) 344-8300 (Fax)
Attorney/Agent For Applicant